

TON

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA, et al
ex rel. BRUCE BOISE

v.

CEPHALON, INC. and TEKADA
PHARMACEUTICALS NORTH AMERICA,
INC.

CIVIL ACTION

NO. 08-287

FILED

FEB 28 2014

MICHAEL R. KONE, Clerk
By SL Dep. Clerk

ORDER

AND NOW, this 28th day of February, 2014, upon consideration of plaintiff's unopposed motion to file a second amended complaint and there being no opposition thereto, it is ORDERED that said motion is GRANTED.

It is further ORDERED that defendant Cephalon, Inc.'s motion to dismiss relator's amended complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) and 9(b) (Dkt. No. 45) and defendant Tekeda Pharmaceutical U.S.A., Inc.'s motion to dismiss relator's amended complaint pursuant to Rules 12(b) and 9(b) (Dkt. No. 65) are denied without prejudice as moot, plaintiff having been granted leave to file a second amended complaint.

ENTERED

FEB 28 2014

TH O'Neill CLERK OF COURT
THOMAS N. O'NEILL, JR., J.